

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, ET AL.,

Plaintiffs,

v.

COX COMMUNICATIONS, INC. AND
COXCOM, LLC.

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**DECLARATION OF THOMAS M.
BUCHANAN IN SUPPORT OF
COX'S MOTION TO EXCLUDE
THE TESTIMONY OF PUTATIVE
EXPERT WILLIAM H. LEHR,
Ph.D.**

I, Thomas M. Buchanan, hereby declare:

1. I am a partner at the law firm Winston & Strawn LLP, counsel to Defendants Cox Communications, Inc. and CoxCom, LLC (collectively, "Cox") and represent Cox in the above-captioned matter. I submit this Declaration in support of Cox's Motion to Exclude the Testimony of Putative Expert William H. Lehr, Ph.D. I have personal knowledge of all facts stated in this declaration and if called upon as a witness, I could and would competently testify thereto.

2. Attached as **Exhibit A** is a true and correct copy of the Expert Report of William H. Lehr, Ph.D., dated April 19, 2019.

3. Attached as **Exhibit B** is a true and correct copy of the Expert Rebuttal Report of William H. Lehr, Ph.D., dated May 15, 2019.

4. Attached as **Exhibit C** is a true and correct copy of the Expert Reply Report of William H. Lehr, Ph.D., dated June 13, 2019.

5. Attached as **Exhibit D** is a true and correct copy of excerpts of the videotaped deposition of William H. Lehr, Ph.D., dated June 25, 2019.

6. Attached as **Exhibit E** is a true and correct copy of a document bearing the Bates number COX_SONY_00515537.

7. Attached as **Exhibit F** is a true and correct copy of an excerpt of the trial transcript in *BMG Rights Mgmt. (US) LLC, et al. v. Cox Communications, Inc., et al.*, 1:14-cv-01611-LO-JFA, dated December 16, 2015.

8. Attached as **Exhibit G** is a true and correct copy of the Rebuttal Expert Report of Lynne J. Weber, Ph.D., dated May 15, 2019.

9. Attached as **Exhibit H** is a true and correct copy of the Reply Report of Christian Tregillis, CPA, ABV, CFF, CLP, dated June 13, 2019.

10. Attached as **Exhibit I** is a true and correct copy of Plaintiffs' Responses to Defendants' Second Set of Requests for Admission, dated July 1, 2019.

11. Attached as **Exhibit J** is a true and correct copy of excerpts of the videotaped deposition of Sidd Negretti, who was a Rule 30(b)(6) designee of Cox, dated June 14, 2019.

12. Attached as **Exhibit K** is a true and correct copy of Plaintiffs' Amended Rule 26(a)(1) Disclosures, dated July 16, 2019.

13. Attached as **Exhibit L** is a true and correct copy of Plaintiffs' Witness List (ECF 222), dated July 16, 2019.

14. Attached as **Exhibit M** is a true and correct copy of Plaintiffs' Objections and Responses to Cox's Third Set of Requests for Production, dated July 1, 2019.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 30th day of August, 2019 in Washington D.C.

/s/ Thomas M. Buchanan

Thomas M. Buchanan (VSB No. 21530)